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Message Text

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ACTION IO-14

INFO OCT-01 AF-10 ARA-11 EA-11 EUR-25 NEA-10 RSC-01 ADP-00

CAB-09 CIAE-00 COME-00 DODE-00 EB-11 INR-10 NSAE-00

FAA-00 PM-07 H-02 L-03 NSC-10 PA-03 PRS-01 SS-15

USIE-00 INRE-00 SSO-00 NSCE-00 RSR-01 /155 W
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O 311916 Z MAY 73
FM AMCONSUL MONTREAL
TO SECSTATE WASHDC IMMEDIATE 3342

C O N F I D E N T I A L MONTREAL 1110

FROM USREP ICAO

E. O. 11652: GDS
TAGS: ETRN, CA
SUBJ: ICAO - LIBYAN AIRLINES INCIDENT - C- WP/5764 - INVESTI-
GATION TEAM REPORT

1. US COUNCIL REP VISITED BY EPHRAIN HARAN, DIRECTOR OF
ECONOMIC DIVISION, MINISTRY EXTERNAL AFFAIRS AND JOE
GLICKMAN, VP OPERATIONS, EL AL. HARAN INDICATED HE WAS
" ADVANCE MAN" FOR " TEAM" WHICHIS COMING MONTREAL FOR JUNE 4
DELIBERATIONS SINAI INCIDENT. HE PROCEEDED WITH COMMENTS
REGARDING CERTAIN ASPECTS TEAM' S REPORT: A) CURTAINS
DRAWN IN AIRCRAFT? SAID FRENCH INVESTIGATION RUMORED TO HAVE
SAID YES AT REQUEST OF GOI -- SAID GOI HAD ASKED FRENCH
SPECIFICALLY NOT TO INCLUDE THIS; B) SAID ISRAEL HAD " DONE
EVERYTHING RIGHT", E. G. USED APPROPRIATE INTERCEPTION PROCEDURES,
HAD NOT " SHOT IT IN THE AIR", BUT AS AIRCRAFT WAS LANDING UNDER
POWER " SOMETHING HAPPENED"; C) SAID ISRAEL HAD LONG WANTED
COMMUNICATIONS IN THE AREA TO COPE WITH THIS KIND OF PROBLEM
BUT IT WAS ONLY THEY WHO WERE WILLING COOPERATE THIS REGARD.

D) SAID ISRAEL PREPARED PAY $30,000 EACH TO FAMILIES OF
VICTIMS " IF THEY REQUESTED IT"; IMPLIED COMPENSATION FOR
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AIRCRAFT SOMETHING ELSE.

2. HARAN SAID GOI FEELS SINCE ASSEMBLY " CONDEMNED" ISRAEL EVEN BEFORE FACT- FINDING, ANOTHER CONDEMNATION INAPPROPRIATE. FYI. COUNCIL MEMBERS SAYING THAT IF COUNCIL DOES NOT " CONDEMN", IMPLICATION WOULD BE THAT FACT- FINDING REPORT RESULTED IN AN ABROGATION OF ASSEMBLY RES 19-1. END FYI. HARAN ASKED WHAT KIND OF PROPOSALS WERE ANTICIPATED JUNE 4. US REP INDICATED THAT EGYPT WOULD UNDOUBTEDLY INITIATE PROPOSAL AND COUNCIL MEMBERS " HOPING" IT WOULD BE LIMITED TO MODERATE CONDEMNATION.

HARAN SURMISED THAT BY TIME MOURSEY RETURNS FROM CAIRO IT WOULD BE STRONGEST POSSIBLE PROPOSAL. AT ONE POINT IN DIS- CUSSION HE MADE FLAT STATEMENT THAT IT WAS NOT POSSIBLE FOR ANY MEMBER STATE TO BE THROWN OUT OF ICAO - US REP DID NOT RESPOND. HE ASKED US REP TO INITIATE A MODERATE PROPOSAL DESIGNED TO HEADOFF EGYPT ACTION. US REP REPLIED THAT A) THERE IS NO USG POSITION AS YET ; B) WOULD TRANSMIT HIS REQUEST TO DEPARTMENT FOR CONSIDERATION; C) HOWEVER, PROCEDURALLY HIS SUGGESTION DANGEROUS SINCE EGYPT ALREADY HAS A PROPOSAL BEFORE COUNCIL (C- WP/5734, ATTACHMENT B, FEB 23, 1973, PARTICULARLY PARA 5.) SHOULD THEY DECIDE TO REVERT TO IT, REQUIRING CONSIDERATION BEFORE ANY PROPOSALS THAT MIGHT BE MADE JUNE 4 (REF: COUNCIL MINUTES 78/4 (CLOSED), PARAS. 10, MARCH 5, 1973).

3. HARAN ASKED ABOUT OTHER COUNCIL MEMBER POSITIONS. US REP REPLIED FRANKLY THAT THERE WAS GENERALLY A NEGATIVE FEELING RE ISRAEL' S ACTION, RESULTING FROM REPORT -- BASED ON FOLLOWING OBSERVATIONS BY REPS: TADAH WAS CLEARLY A CIVIL COMMERCIAL FLIGHT; IT WAS LOST; IT HAD TURNED AROUND AND WAS HEADED BACK TOWARD CAIRO; WHATEVER IT DID, IT SHOULD NOT HAVE BEEN SHOT DOWN.

HARAN ASKED WHICH COUNCIL MEMBERS MIGHT BE FAVORABLY DISPOSED SO HE COULD START CALLING ON THEM. US REP REPLIED THAT HE MIGHT START WITH " SOME OF THE EUROPEAN COUNTRIES".

4. GLICKMAN OF EL AL DID NOT PARTICIPATE EXCEPT TOWARD CONCLUSION OF PRESENTATION WHEN HE REFERRED TO 1959 REGIONAL MEETING DECISION SETTING FORTH COMMUNICATIONS REQUIREMENTS IN CONFIDENTIAL

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THE AREA. US REP INDICATED WE WOULD KEEP REFERENCE AT HAND.

5. HARAN INDICATED THEY WILL RETURN TO U. S. DELEGATION WITH REST OF JUNE 4 " TEAM" BETWEEN NOW AND MEETING.

6. ACTION REQUESTED: DEPARTMENT SHOULD CONSIDER ISRAEL' S REQUEST THAT US INITIATE NON- CONDEMNATION PROPOSAL -- HOWEVER, US REP

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SUGGESTS A) IT IS PROCEDURALLY UNSOUND AND B) WOULD ATTRACT NO REPEAT NO SUPPORT. C) UNTIL AN ARAB STATE PROPOSAL IS FORTHCOMING, C- WP/5764 IS WHAT IS BEFORE COUNCIL, WITH C- WP/5734 PENDING. THERE IS GENUINE INTEREST IN ICAO' S " APPROPRIATE ROLE" IN THIS MATTER, SUCH A A SELF- CONTAINED OR SUPPLEMENTAL PROPOSAL WHICH WOULD RESULT IN MAXIMIZING EFFORTS TO PREVENT THIS KIND OF INCIDENT IN FUTURE (WITH EMPHASIS IN THE TECHNICAL ROLE OF ICAO). GDS.
TOPPING

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*** Current Handling Restrictions *** n/a
*** Current Classification *** CONFIDENTIAL

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Disposition Authority: morefirh
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Disposition Date: 28 MAY 2004
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